IN THE HIGH COURT OF JUDICATURE AT BOMBAY

T & I. J.

NOTICE OF MOTION NO.15 OF 2005
IN
MISC. PETITION NO.14 OF 2005
IN
PETITION NO.765 OF 2000

1.Miss Shashikala D.Bhoir and Ors. .. Petitioners

Vs.

1.Shri Subodh Kashiram rure and Ors... Respondents

Mrs.Leena R.Temkar for the petitioners

None for the respondents

CORAM : S.U.KAMDAR, J

DATED : 12TH AUGUST, 2005

P.C.:

. The only ground on which the present petition is filed for revocation of grant is that in respect of immovable property petitioners are claiming to be owners and landlords thereof. It is their contention that the deceased was not the owner of the property. However, it is well settled that testamentary jurisdiction does not determine the title in the immovable property.Merely grant of

letter of administration would not create any right title or interest in favour of the respondent in respect of the said property nor any entry is made in the revenue record. In view thereof, the learned counsel for the petitioner seeks leave to withdraw the motion as well as petition with liberty to file Civil Suit for establishing his right if any in the said property. Both motion as well as petition dismissed as withdrawn with aforesaid property.